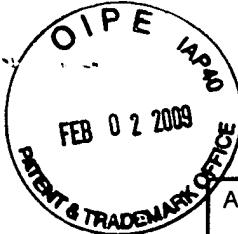




02 - 04 - 09

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<b>AMENDMENT TRANSMITTAL LETTER</b>					Docket No. 05986/100M320-US1	
Application No. 10/817,102-Conf. #3947		Filing Date April 1, 2004		Examiner S. L. Bausch		Art Unit 1634
Applicant(s): Page W. Caufield						
Invention: METHOD FOR THE SURVEILLANCE FOR BIOLOGICAL, CHEMICAL AND RADIOLOGICAL AGENTS						
<b>TO THE COMMISSIONER FOR PATENTS</b>						
Transmitted herewith is an amendment in the above-identified application.						
The fee has been calculated and is transmitted as shown below.						
<b>CLAIMS AS AMENDED</b>						
Total Claims	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate		
36	- 36 =	0	x 26.00	0.00		
Independent Claims	5	- 5 =	0	x 110.00	0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>						
Other fee (please specify):						
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00	
<input type="checkbox"/> Large Entity			<input checked="" type="checkbox"/> Small Entity			
<input checked="" type="checkbox"/> No additional fee is required for this amendment.						
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____.						
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.						
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.						
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 04-0100 as described below.						
<input type="checkbox"/> Credit any overpayment.						
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.						
					Dated: February 2, 2009	
Amy G. Kamm Attorney/Agent Reg. No.: 48,155						
DARBY & DARBY P.C. P.O. Box 770 Church Street Station New York, New York 10008-0770 (212) 527-7700						



Application No. (if known): 10/817,102

Attorney Docket No.: 05986/100M320-US1

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. in an envelope addressed to:

*EM16800724845*

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on February 2, 2009  
Date

*Lillian Garcia*  
Signature

*Lillian Garcia*  
Typed or printed name of person signing Certificate

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Amendment In Response To Notice of Non-Compliant Amendment  
(37 CFR 1.121) (8 pages)  
Amendment Transmittal (1 page)  
Postcard



Docket No.: 05986/100M320-US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Page W. Caufield et al.

Application No.: 10/817,102

Confirmation No.: 3947

Filed: April 1, 2004

Art Unit: 1634

For: METHOD FOR THE SURVEILLANCE FOR  
BIOLOGICAL, CHEMICAL AND  
RADIOLOGICAL AGENTS

Examiner: S. L. Bausch

**AMENDMENT IN RESPONSE TO NOTICE OF  
NON-COMPLIANT AMENDMENT (37 CFR 1.121)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This communication is submitted in response to the Notice of Non-Compliant Amendment (37 CFR 1.121) mailed January 13, 2009.

On September 18, 2008 Applicants submitted an Amendment. The Notice states that each claim has not been provided with a proper status identifier. Thus, Applicants hereby resubmit the listing of the claims to each include one of the status identifiers recognized by the USPTO. It is noted that the Listing of the Claims filed on September 18, 2008 contained recognized status identifiers and also included the term "allowable" for certain claims. It is believed that these identifiers fell under the acceptable category of variations of the status identifiers provided in 37 CFR 1.121(c) and were accurate and clear. (See, Memorandum, June 6, 2005, Joseph J. Rolla Deputy Commissioner for Patent Examination Policy, Subject: Acceptance of Certain Non-